

Message Text

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C O N F I D E N T I A L SANTIAGO 2729

E.O. 11652: GDS-4
TAGS: OEXC CI PINT
SUBJECT: IVP GALECIO, RUBEN

REF: SANTIAGO 2679

1. REFTEL GIVES BIODATA AND PROGRAM SUGGESTIONS FOR JUDGE GALECIO, A MEMBER OF THE SANTIAGO COURT OF APPEALS. THIS CLASSIFIED MESSAGE GIVES ADDITIONAL INFORMATION OF POLITICAL NATURE THAT CANNOT BE INCLUDED IN THE REGULAR MESSAGE.

2. GALECIO CAME TO THE EMBASSY'S ATTENTION ORIGINALLY AS A DISTINGUISHED JUDGE WHO, IN A PERIOD WHEN THE CIVIL JUDICIARY HAD ABDICATED MANY OF ITS RESPONSIBILITIES TO THE EXECUTIVE, STOOD UP FOR JUDICIAL RECTITUDE VIS-A-VIS THE EXECUTIVE. EMBOFFS HAVE SEEN HIM SEVERAL TIMES IN THE PAST 18 MONTHS AND HAVE OBSERVED HIS JUDICIAL ACTIVITIES IN THE PRESS. HE IS ONE OF THE BEST KNOWN OF THE APPEALS COURT JUDGES, WITH VAST EXPERIENCE IN CRIMINAL LAW, AND HAS AN EXCELLENT REPUTATION AMONG THOSE INTERESTED IN HUMAN RIGHTS IN CHILE. THE POSITIONS CRITICAL OF THE GOVERNMENT HE HAS TAKEN IN COURT PRESUMABLY RESULTED IN THE GOVERNMENT'S BLACKBALLING HIM FOR THE SUPREME COURT OPENING THAT BECAME AVAILABLE SOME MONTHS AGO, AND WHICH, WE HAVE BEEN TOLD, SHOULD HAVE BEEN HIS BY RIGHT OF EXPERIENCE AND RECTITUDE.

3. GALECIO IS NOT A FLAMING ACTIVIST. HE IS IN THE
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TRADITION OF CAREER CHILEAN JUDGES -- SEVERE, CORRECT, DISCIPLINED, WORKING WITHIN NARROW LEGAL BOUNDS, BUT HE IS AWARE OF THE LARGER ISSUES, WHILE MANY OF HIS COLLEAGUES ARE NOT.

4. IN THE CURRENT SLOWDOWN OF THE IVP IMPOSED BY THE GOC AFTER THE JANUARY VISIT OF FOREIGN MINISTRY DIRECTOR

GENERAL JAIME LAVIN, GALECIO WAS IDENTIFIED TO US BY A SENIOR CHILEAN OFFICIAL AS A CHRISTIAN DEMOCRAT -- A PREJORATIVE TERM AS SEEN BY THE OFFICIAL. GALECIO TOLD US THAT HE IS OF THE CENTER AND LEANS TOWARD THAT PARTY, BUT HAS NEVER BEEN A MEMBER. HE IS NOT KNOWN BY THE GOVERNMENT, HOWEVER, AS A FRIEND.

5. GIVEN THIS BACKGROUND, THE EMBASSY RECOMMENDS THAT PARTICULAR CARE BE TAKEN WITH GALECIO'S PROGRAM, THE SELECTION OF HIS ESCORT-INTERPRETER, AND THE ARRANGEMENTS DURING THE TRIP. THE PROGRAM AGENCY AND ESCORT SHOULD BE BRIEFED ACCORDINGLY. AS A CAREER OFFICIAL OF THE JUDICIARY, HE MAY NOT ENGAGE IN POLITICS, NOR CRITICIZE HIS BRANCH OF THE GOC, NOR GET INVOLVED IN CONTROVERSY. HE IS IN THE ANOMALOUS POSITION OF BEING OPEN TO ATTACK BY CRITICS OF THE GOC FOR BEING A MEMBER OF WHAT IS CONSIDERED A PUSILLANIMOUS JUDICIARY; WHEREAS IN FACT HE IS ONE WHO HAS ACTED WITH COURAGE. IF THE LATTER FACT BECOMES KNOWN, HE MIGHT BE LIONIZED FOR IT BY THE SAME PEOPLE, WHICH WOULD GET HIM IN TROUBLE WITH THE CHILEAN JUDICIARY AND GOVERNMENT ON HIS RETURN. HE THUS HAS TO WALK A NARROW LINE AND AVOID PUBLIC APPEARANCES AND CONFRONTATIONS.

6. GALECIO TOOK THE INITIATIVE TO SEE JAIME LAVIN. HE IS AWARE OF THE RISKS OF THE TRIP BUT LOOKS FORWARD TO IT WITH GREAT INTEREST. HE IS AS WELL PREPARED FOR IT AS ANY CHILEAN INVITEE WE HAVE SEEN IN RECENT YEARS.
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